

REMARKS

Claims 1 through 25 were pending in the present application when last examined and were rejected. Claims 1, 8, 12 and 14 are being amended for clarity. Claims 5, 11, 18 and 21 – 22 are cancelled without prejudice. New claims 26 – 28 are added. No new matter is being added. Hence, claims 1 – 4, 6 – 10, 12 – 17, 19 – 20, 23 – 28 are pending in the present application.

Rejection under 35 U.S.C. § 112, first paragraph

In items 7 and 8, on pages 2, the Office Action states that:

Claims 21 and 22 are rejected under 35 U.S.C. § 112, first paragraph, as failing to comply with the enablement requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention. There is no industry understanding or standard for telnet markup language (TML), and the specification does not adequately enable a skilled artisan to recognize, make or use such a language. Consequently, the Office will not consider telnet markup language (TML) in its interpretation of the claimed subject matter.

Applicant disagrees and would traverse, but elects instead to cancel claims 21 and 22 without prejudice, thereby rendering the rejection moot.

Rejection under 35 U.S.C. § 103(a) based on Bayeh in view of Boag

In items 9 – 38 that begin on page 3, the Office Action rejected claims 1 – 3, 5 – 16 and 18 – 20 under 35 U.S.C. § 103(a) as being unpatentable over US Patent Number 6,012,098 to Bayeh et al (hereinafter “Bayeh”) in view of US Patent Number 6,589,291 to Boag et al.. These rejections are traversed.

The Office Action asserts in item 11 that Bayeh teaches: a) the role of the data servlet is only to retrieve data from a database (Bayeh, col. 8: lines 6 - 7) and b) before the data servlet can pass data to another servlet ... it must format the data ... in the preferred embodiment of the present invention, the data servlet formats its output as an XML data stream (Bayeh, col. 8: lines

13 - 18) which c) provide for converting of the data ... into an XML output with how to regard to the device type of the particular client.

With respect to this rejection, the Office Action admits that Bayeh et al do not explicitly teach:

- a) identifying the client device type of the particular client,
- b) reading metadata that indicates how to convert said XML output to output for said client device type,
- c) ... converting the XML output for said client device type, and
- d) providing output for said client device type descent particular client.

The Examiner cites Boag, however, for teaching that:

the selected style sheets are tailored to the client device ... this is done by inspecting the value of the UserAgent field of the HTTP request that are with which the document was requested. This UserAgent value will identify the browser running on the client device. (Alternatively, protocols such as CC/PP may be available for querying the device/browser to determine its capabilities dynamically.) (Boag, Col. 10: lines 42 – 50)

which the Examiner argues provides for identifying the client device type of the particular client. In addition, argues the Office Action, Boag also teaches that

“selecting one or more style sheets to transform a particular input document; determining whether a client device is capable of applying the selected style sheets; applying the selected style sheets and client device when the determining has a positive result; and applying the selected style sheets at a server when the determining has a negative result (Boag, Col. 4, lines 29-36) and that the input that can be encoded in extensible markup language (XML). The style sheets may be encoded in a style sheet language such as extensible style sheet language (XSL) (Boag, Col. 5: lines 8 – 11), which provide for ‘reading metadata (XSL) that indicates how to convert said XML output to output for said client device type’.”

The Office Action argues that,

“it would be obvious to one with ordinary skill in the art at the time of the invention to know that Boag’s invention is capable of ... converting the XML output for said client device type, since Boag et al. further teach that ‘XML is emerging as a powerful methodology representing document content, due to its ability to store data in a self defining, portable manner. Style sheet languages

such as access the, long with their associated processors, are powerful tools for ... transforming documents included in one markup language into other markup languages such as HTML or WML.' (Boag, Col: 2: lines 20 – 28)."

However, as shall be explained hereafter, these assertions are not correct in view of amendments to claim 1.

Amended Claim 1 recites:

1. (Amended) A method for allowing multiple types of clients to use a database application without hard-coding presentation logic for each of the multiple types of clients into the database application, the method comprising the steps of:
prior to providing data from the database application to a particular client,
performing the steps of:
converting the data that is to be transmitted from the database application to the particular client into an XML output without regard to the device type of the particular client by:
identifying a data type to which the data corresponds, wherein the data type reflects a type of the data that is read out of the database;
selecting from a plurality of document type definitions, a document type definition associated with said data type; and
converting the data to XML output based on said selected document type definition;
identifying the client device type of the particular client;
reading metadata selected based on the client device type, wherein the metadata indicates how to convert said XML output to output for said client device type; and
based on said metadata, converting the XML output to output for said client device type; and
providing the output for said client device type to said particular client.

Claim 1 as amended recites limitations not taught, suggested or otherwise rendered obvious by Bayeh, Boag, either alone or in any combination thereof. Specifically, “identifying a data type to which the data corresponds, wherein the data type reflects a type of the data that is read out of the database;” “selecting from a plurality of document type definitions, a document type definition associated with said data type;” and “converting the data to XML output based on said selected document type definition.” To the extent that Bayeh’s data servlet 83 uses a document type definition 98 to render an XML data stream as output, there is no teaching, nor even suggestion, in Bayeh that their document type definition 98 is selected from a plurality of document type definitions, let alone making such a selection based upon a data type of data retrieved from the database 88. Boag fails to remedy this flaw of Bayeh. While Boag teaches selecting an XSL style sheet to apply to an XML document, Boag fails to teach, suggest or otherwise render obvious, the “identifying a data type to which the data corresponds, wherein the data type reflects a type of the data that is read out of the database;” “selecting from a plurality of document type definitions, a document type definition associated with said data type;” and “converting the data to XML output based on said selected document type definition,” limitations recited by amended claim 1. Specific support for these limitations may be found in applicant’s specification, page 10, lines 5 – 10, and other areas as well. No new matter is being added.

Therefore, Bayeh and Boag, either alone, or in any combination, do not teach, suggest or render obvious the embodiments of claim 1, for at least these reasons.

Claims 8, 12 and 14, while independently patentable, are also patentable for the same reasons described above with respect to Claim 1. In particular, these claims also recite limitations of: “identifying a data type to which the data corresponds, wherein the data type reflects a type of the data that is read out of the database;” “selecting from a plurality of document type definitions, a document type definition associated with said data type;” and “converting the data to XML output based on said selected document type definition” as recited in claim 1. Therefore, based on at least the reasons stated above with respect to Claim 1, the applicant respectfully submits that Claims 8, 12 and 14 are allowable over the art of record and

are in condition for allowance.

Claims 2 – 4, 6 – 7, 9 – 10, 13, 15 – 17, 19 – 20 and 23 – 25 are dependent claims depending from claims 1, 8, 12 and 14 respectively. Therefore claims 2 – 4, 6 – 7, 9 – 10, 13, 15 – 17, 19 – 20 and 23 – 25 are patentable over Bayeh and Boag for at least the same reasons that claims 1, 8, 12 and 14 are patentable over Bayeh and Boag.

Therefore, Bayeh and Boag do not teach, suggest or render obvious the claimed embodiments, either alone, or in any combination, for at least these reasons. Applicant respectfully requests: (1) withdrawal of the rejection and (2) withdrawal of Bayeh and Boag from further consideration as a reference in the instant case.

Rejection under 35 U.S.C. § 103(a) based on Bayeh in view of Boag and further in view of

Monday

In items 35 - 38 that begin on page 14, the Office Action rejected claims 23 – 25 under 35 U.S.C. § 103(a) as being unpatentable over Bayeh in view of Boag and further in view of a U.S. Patent Number 6,480,860B1 issued to Monday (“Monday”). Applicants respectfully traverse.

The Office Action admits that,

regarding dependent claim 23, neither Boag et al. nor Bayeh et al. explicitly teach .[a]. dumb terminal ...”

The Office Action, argues, however that,

Monday do[es] teach that terminal interface 140 is used to directly connect one or more terminals 165 to computer system 100. These terminals 165, which may be non-intelligent (i.e., dumb) terminals or fully programmable workstations, are used to allow system administrators and users to communicate with computer system 100 (Column 6, lines 21 — 26), which provides that the client device identifier indicates at least one of a dumb terminal, a telnet terminal, a bar code scanner and a browser-less device. It would have been obvious to one of ordinary skill in the art at the time of the invention to combine the teachings of Boag et al. and Bayeh et al. with that of Monday because such a combination would provide

the users of Boag et al. and Bayeh et al. the benefit of an apparatus and method that defines a markup language for accessing data in a database (Column 1, lines 49 — 51).

Applicant respectfully disagrees.

Monday fails to remedy the failings of Bayeh and Boag, either alone or in any combination, to render the claimed embodiments obvious. Specifically, Monday fails to teach, suggest or otherwise render obvious the limitations of “identifying a data type to which the data corresponds, wherein the data type reflects a type of the data that is read out of the database;” “selecting from a plurality of document type definitions, a document type definition associated with said data type;” and “converting the data to XML output based on said selected document type definition.”

Therefore, Bayeh, Boag, Monday nor any combination thereof, teach, suggest or disclose the claimed embodiments for at least these reasons. Applicant respectfully requests: (1) withdrawal of the rejection and (2) withdrawal of Monday from further consideration as a reference in the instant case.

Because each of the cited references, Bayeh, Boag and Monday do not teach, suggest or render obvious and even teach away from the inventions of claims 1 – 4, 6 – 10, 12 – 17, 19 – 20, 23 – 25, Applicants respectfully request withdrawal of each and every one of these references from further consideration and timely allowance of claims 1 – 4, 6 – 10, 12 – 17, 19 – 20, 23 – 25 for at least the foregoing reasons.

Please charge any shortages or credit any overages to Deposit Account No. 50-1302.

Respectfully submitted,

HICKMAN PALERMO TRUONG & BECKER LLP



Paul A. Durdik

Registration No. 37,819

Dated: June 22, 2004

1600 Willow Street
San Jose, California 95125-5106
Telephone: (408) 414-1080, Ext. 209
Facsimile: (408) 414-1076

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner for Patents, Box 1450, Alexandria, VA 22313-1450.

TRUDY BAGDON
Name

Trudy Bagdon
Signature

6/22/04
Date Signed